

Exhibit B

1
2
3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS
6 PRODUCTS LIABILITY LITIGATION

7 No. MD-15-02641-PHX-DGC

8
9 **MASTER SHORT FORM COMPLAINT**
10 **FOR DAMAGES FOR INDIVIDUAL**
11 **CLAIMS**

12 Plaintiff(s) named below, for their Complaint against Defendants named below,
13 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. _____).

14 Plaintiff(s) further show the Court as follows:

15 1. Plaintiff/Deceased Party:
16 _____

17 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
18 consortium claim:
19 _____

20 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
21 conservator):
22 _____

23 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
24 the time of implant:
25 _____

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

7. District Court and Division in which venue would be proper absent direct filing:

8. Defendants (check Defendants against whom Complaint is made):

- C.R. Bard Inc.
- Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

- Diversity of Citizenship
- Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master
Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter
- G2® Vena Cava Filter

€ G2® Express (G2®X) Vena Cava Filter

€ Eclipse® Vena Cava Filter

€ Meridian® Vena Cava Filter

€ Denali® Vena Cava Filter

€ Other: _____

11. Date of Implantation as to each product:

12. Counts in the Master Complaint brought by Plaintiff(s):

□ Count I: Strict Products Liability – Manufacturing Defect

- Count II: Strict Products Liability – Information Defect (Failure to Warn)

□ Count III: Strict Products Liability – Design Defect

□ Count IV: Negligence - Design

Count V: Negligence - Manufacture

□ Count VI: Negligence – Failure to Recall/Retrofit

□ Count VII: Negligence – Failure to Warn

□ Count VIII: Negligent Misrepresentation

Count IX: Negligence *Per Se*

Count X: Breach of Express Warranty

□ Count XI: Breach of Implied Warranty

□ Count XII: Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable _____ (insert state)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

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1 RESPECTFULLY SUBMITTED this ____ day of November, 2015.

2 **GALLAGHER & KENNEDY, P.A.**

3 By: /s/

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11 **LOPEZ McHUGH LLP**

12 Ramon Rossi Lopez (CA Bar No. 86361)
13 (admitted *pro hac vice*)
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16 *Attorneys for Plaintiffs*

17 I hereby certify that on this ____ day of November, 2015, I electronically transmitted
18 the attached document to the Clerk's Office using the CM/ECF System for filing and
19 transmittal of a Notice of Electronic Filing.

20 /s/

21 5131774